IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.7660 of 1998

Dated: 31-01-2007

Between:

Datla Rajyalaxmi, w/o late Satyanarayana Raju,
aged about 40 years,
r/o Maddulagudem,
h/o Samitisingaram,
Manuguru Mandal,
Khammam District.

... Petitioner

and

1. The District Collector/
   Agent to Government, Khammam and 6 others.

... Respondents

ORDER:

This petition is filed seeking *mandamus* declaring the proceedings of the respondents 1 and 2 issued in C.M.A.No.39/97, dated 19-11-1997 confirming the order of the second respondent in LTR No.430/97/MGR, dated 07-07-

1997, as arbitrary and illegal.

2. It is the case of the petitioner that her mother is the absolute owner of the agricultural land measuring Ac.10-37 guntas in Sy.Nos.192, 193, 194, 195 and 197 situated at Maddulagudem, h/o Samitisingaram village, Manuguru Mandal, Khammam District and after her death she became the absolute owner. It is stated that at the instance of local leaders,
the second respondent issued notice dated 05-03-1997 to initiate proceedings under Andhra Pradesh (Scheduled Areas) Land Transfer Rules, 1969 (A.P. Regulation 1 of 1959) read with Reg.1/70. It is further stated that the second respondent also passed an order of eviction on
17-06-1997 stating that the transfer of immovable property was made to the non-tribal in contravention of A.P.(S.A) LTR 1959 read with Reg.1/70. According to the petitioner as the appeal being C.M.A.No.39 of 1997 preferred by her against the order dated 17-06-1997 was rejected by the first respondent without appreciating the merits of her case, she filed the present writ petition.

3. Heard learned counsel for the parties.

4. Having regard to the fact that Section 6 of the A.P. (Scheduled Areas) Land Transfer Regulation, 1959 provides a revision against the order of the appellate authority, I deem it appropriate to direct the petitioner to file a revision against the order impugned.

5. Accordingly, the writ petition is disposed of

directing the petitioner to file a revision before the appropriate authority i.e. the Government, against the order impugned, within a period of four weeks from the date of receipt of a copy of this order. On such revision being filed, the competent authority shall dispose of the same within three months thereafter. It is made clear that till such time, *status quo* shall be maintained.

JUSTICE GOPALAKRISHNA TAMADA

Dt.31-01-2007
GLV